

SENATE BILL 274

By Harris

AN ACT to amend Tennessee Code Annotated, Section 39-11-106 and Section 39-14-405, relative to criminal trespass.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-14-405(a), is amended by deleting the following language:

Consent may be inferred in the case of property that is used for commercial activity available to the general public or in the case of other property when the owner has communicated the owner's intent that the property be open to the general public.

and substituting instead the following:

Consent may be inferred in the case of property that is used for commercial activity available to the general public or in the case of other property when the owner has communicated the owner's intent that the property be open to the general public; provided, that, notwithstanding § 39-11-106, housing or apartment complex common areas, including lobbies, hallways, and courtyards, shall not be considered areas open to the general public.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.